

Chapter 8

Miscellaneous

8.1 *Yield Signs*

Ordinance Type Number:	6
Ordinance Type Status:	Inactive
NCGS Authority:	§20-158.1
NCAC Authority:	None
TEPPL Reference:	S-58
Ordinance Required:	No
Overlap Conflict with Ordinance Types:	None
Investigation Required by Statute and/or Code:	No
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	No

Guidance:

This ordinance type is no longer used (discontinued on August 23, 2005).

Examples:

N/A

8.2 *Stop Signs*

Ordinance Type Number:	7
Ordinance Type Status:	Inactive
NCGS Authority:	§20-158 (a) (1, 2)
NCAC Authority:	None
TEPPL Reference:	S-58
Ordinance Required:	No
Overlap Conflict with Ordinance Types:	None
Investigation Required by Statute and/or Code:	No
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	No

Guidance:

This ordinance type is no longer used (discontinued on August 23, 2005).

Examples:

N/A

8.3 *No Hunting from ROW*

Ordinance Type Number:	13
Ordinance Type Status:	Active
NCGS Authority:	§136-18 (5)
NCAC Authority:	None
TEPPL Reference:	None
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	None
Investigation Required by Statute and/or Code:	No
Signing/Marking Required by Statute/Code:	No
Additional Information/Justification Required:	No

Guidance:

The Department of Transportation is vested with the power to make ordinances for the use of the State highways.

No ordinances shall be made that will conflict with any statute now in force or any ordinance of incorporated municipalities.

A highway is defined as the entire width between property or right-of-way lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter of right for the purposes of vehicular traffic ([20-4.01, 13](#)).

Examples:

Between 0.58 miles west of SR 1443 (Broughton Road) and 0.92 miles east of SR 2336 (Ashton Road).

8.4 *No Fishing from Bridge*

Ordinance Type Number:	14
Ordinance Type Status:	Active
NCGS Authority:	§136-18 (5)
NCAC Authority:	None
TEPPL Reference:	None
Ordinance Required:	Sometimes (see “Guidance”)
Overlap Conflict with Ordinance Types:	None
Investigation Required by Statute and/or Code:	No
Signing/Marking Required by Statute/Code:	No
Additional Information/Justification Required:	No

Guidance:

Fishing from bridges on interstates or other controlled access highways is prohibited by the Administrative Code and does not need to be ordained ([19A:02E.0408](#)). However, ordinances are required to prohibit fishing from any bridge on roads without access control.

The Department of Transportation is vested with the power to make ordinances for the use of the State highways.

No ordinances shall be made that will conflict with any statute now in force or any ordinance of incorporated municipalities.

A highway is defined as the entire width between property or right-of-way lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter of right for the purposes of vehicular traffic ([20-4.01, 13](#)).

Examples:

Bridge 910012 carrying NC 50 (Benson Highway) over Salisbury Creek.

8.5 *No Jumping or Diving from Bridge*

Ordinance Type Number:	15
Ordinance Type Status:	Active
NCGS Authority:	§136-18 (5)
NCAC Authority:	None
TEPPL Reference:	None
Ordinance Required:	Sometimes (see “Guidance”)
Overlap Conflict with Ordinance Types:	None
Investigation Required by Statute and/or Code:	No
Signing/Marking Required by Statute/Code:	No
Additional Information/Justification Required:	No

Guidance:

Jumping or diving from bridges into a body of water is prohibited if designated by the Division Engineer and appropriate signing is erected and, therefore, does not need to be ordinated ([19A:02E.0411](#)). However, ordinances are required to prohibit jumping or diving from bridges not into a body of water.

The Department of Transportation is vested with the power to make ordinances for the use of the State highways.

No ordinances shall be made that will conflict with any statute now in force or any ordinance of incorporated municipalities.

A highway is defined as the entire width between property or right-of-way lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter of right for the purposes of vehicular traffic ([20-4.01, 13](#)).

Examples:

Bridge 910012 carrying NC 50 (Benson Highway) over SR 1234 (Shelton Road).

8.6 *No Fishing from Highway ROW*

Ordinance Type Number:	24
Ordinance Type Status:	Active
NCGS Authority:	§136-18 (5)
NCAC Authority:	None
TEPPL Reference:	None
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	None
Investigation Required by Statute and/or Code:	No
Signing/Marking Required by Statute/Code:	No
Additional Information/Justification Required:	No

Guidance:

The Department of Transportation is vested with the power to make ordinances for the use of the State highways.

No ordinances shall be made that will conflict with any statute now in force or any ordinance of incorporated municipalities.

A highway is defined as the entire width between property or right-of-way lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter of right for the purposes of vehicular traffic ([20-4.01, 13](#)).

Examples:

Between 0.58 miles west of SR 1443 (Broughton Road) and 0.92 miles east of SR 2336 (Ashton Road).

8.7 *No Loitering on Highway ROW*

Ordinance Type Number:	25
Ordinance Type Status:	Active
NCGS Authority:	§136-18 (5)
NCAC Authority:	None
TEPPL Reference:	None
Ordinance Required:	Yes
Overlap Conflict with Ordinance Types:	None
Investigation Required by Statute and/or Code:	No
Signing/Marking Required by Statute/Code:	No
Additional Information/Justification Required:	No

Guidance:

The Department of Transportation is vested with the power to make ordinances for the use of the State highways.

No ordinances shall be made that will conflict with any statute now in force or any ordinance of incorporated municipalities.

A highway is defined as the entire width between property or right-of-way lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter of right for the purposes of vehicular traffic ([20-4.01, 13](#)).

Examples:

Between 0.58 miles west of SR 1443 (Broughton Road) and 0.92 miles east of SR 2336 (Ashton Road).

8.8 *Public Vehicular Area (PVA)*

Ordinance Type Number:	69
Ordinance Type Status:	Active
NCGS Authority:	§20-219.4
NCAC Authority:	19A:02E.1201 , 19A:02E.1202 , 19A:02E.1203 , 19A:02E.1204 , 19A:02E.1205
TEPPL Reference:	P-25
Ordinance Required:	Yes (used as a registry)
Overlap Conflict with Ordinance Types:	None
Investigation Required by Statute and/or Code:	No
Signing/Marking Required by Statute/Code:	Yes
Additional Information/Justification Required:	Yes

Guidance:

Official approval for a PVA is the execution of the agreement between the property owner and the Division Engineer as outlined in [TEPPL](#). The ordinance system is only used as a statewide registry of these enacted agreements. However, a copy of the executed agreement and plat (or survey map) shall be forwarded to the Regional Office, and then to the Ordinance Program Manager, for system approval and recordkeeping (and inclusion in the ordinance package).

The plat or survey map required by the Agreement does not need to be recorded as a PVA for NCDOT purposes. However, the plat or survey map should be legible and show the nearest State Highway System route(s) for referencing purposes (where feasible). Private property does not need to abut the State Highway System to be registered.

No action (agreements or ordinances) is needed for any property that falls within the criteria specified by [General Statute §20-4.01 \(32, a-c\)](#).

The collection and processing of any and all fees is the responsibility of the individual Highway Division acknowledging “receipt and registration of applications from participants” ([19A:02E.1203](#)) or when “resubmitting an application” to modify the agreement ([19A:02E.1205](#)). This may follow the same or a similar process as that for driveway permits.

The Department is only required to provide designs for PVA signs and shall not fabricate, install, or maintain the signs ([19A:02E.1204](#)). The PVA designation shall only be effective after registering with NCDOT and signs are installed ([§20-219.4, a](#)).

Examples:

Private property (boat ramp) with primary entrance located at 500 Progress Way, approximately 0.05 mile northeast of SR 1308 (Gum Branch Road).